



PATENT  
Attorney Docket No.: ST-UCSD3210  
(formerly 041673-1001)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

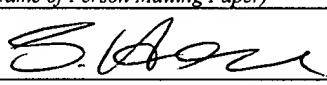
Applicants: Chien et al. Art Unit: 1633  
Application No.: 09/954,571 Examiner: Kaushal, Sumesh  
Filed: September 11, 2001 Conf. No.: 7236  
Title: METHODS FOR CARDIAC GENE TRANSFER

**Mail Stop AMENDMENT**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

Sir:

The undersigned, attorney of record for Petitioner, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a California Corporation, with its place of business at 1111 Franklin Street, Fifth Floor, Oakland, California 94607-5200, formerly at 300 Lakeside Drive, 22nd Floor, Oakland, California 94612-3550, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/954,571, filed September 11, 2001, entitled METHODS FOR CARDIAC GENE TRANSFER (as amended) as evidenced by the attached Assignment. The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

<b>CERTIFICATION UNDER 37 CFR §1.8</b>	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, June 19, 2007, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Sara N. Hare (Name of Person Mailing Paper)	
	June 19, 2007 (Date)
(Signature)	

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In re Application of:  
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Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, disclaims the terminal part of any patent granted on the subject matter of the above-identified U.S. Patent Application Serial No. 09/954,571, filed September 11, 2001, that would extend beyond the expiration date of any patent that may be granted based on U. S. Patent Application No. 10/705,791, which claims the benefit of prior provisional applications filed on November 2, 1998 and July 27, 1999. Petitioner hereby agrees that any patent so granted on the above-identified U.S. Patent Application Serial No. 09/954,571 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any application that may be granted on U. S. Patent Application No. 10/705,791, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Enclosed is a check in the amount of \$125.00 in payment of a Terminal Disclaimer fee (\$65.00) and a Petition for One Month Extension of Time fee (\$60.00). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 07-1896. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

  
Stacy L. Taylor  
Registration No. 34,842  
Telephone: (858) 677-1423  
Facsimile: (858) 677-1465

DLA PIPER LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
**USPTO CUSTOMER NO. 28213**

Attachment: Copy of Assignment

# ASSIGNMENT

U.C. Case No. SD2000-123

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Kenneth R. Chien 2. Masahiko Hoshijima  
3. John Ross, Jr. 4. Yasuhiro Ikeda

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California corporation, having its statewide administrative offices located 300 Lakeside Drive, 22nd Floor, Oakland, CA 94612-3550, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

## HIGH EFFICIENCY CARDIAC GENE TRANSFER

and which is found in

(a)  U.S. provisional application filed herewith and listing the above named persons as inventors.  
(b)  U.S. patent application executed herewith, entitled as above and listing the above named persons as inventors.  
(c)  U.S. application serial no. \_\_\_\_\_, filed on \_\_\_\_\_  
(d)  U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained from said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any release, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

1<sup>st</sup> day of Sept, 2001  
3<sup>rd</sup> day of Sept, 2001  
10<sup>th</sup> day of Sept, 2001  
\_\_\_\_ day of \_\_\_\_\_, 2001

Signature of Inventor(s)

Chien  
John Ross Jr.  
Ikeda